



Clean Energy Future Committee

January 29, 2020

8:00 – 9:30 a.m.

Arlington Town Hall, Lyons Hearing Room

Members present: Jim DiTullio, Ryan Katofsky, Ken Pruitt, Dave Levy, Marc Breslow, Emily Sullivan, Coralie Cooper, Dan Dunn, Shelly Dein, Pasi Miettinen, Nellie Aikenhead, Dan Amstutz

Members not present: Adam Chapdelaine

Additional participants: Jennifer Raitt, Director of Planning and Community Development and Ali Carter, Economic Development Coordinator.

The Meeting Convened at 8:03 a.m.

Minutes: Minutes from the 12/20/2019 meeting were unanimously approved with the minor edits offered in the meeting.

Agenda Item 1: Discussion of the proposed Warrant Article for prohibiting fossil fuel infrastructure in new buildings or major renovations

Mr. Pruitt led the discussion by mentioning that this discussion was previewed at the December meeting. The Brookline warrant article was quite complete, encompassing essentially the full Town Meeting motion. In contrast, Arlington's proposed Warrant Article is quite short in length. This Committee could now ask for changes or propose it as drafted. If approved by this Committee, work would then start on a comprehensive plan for shepherding it to an ultimate vote at Town Meeting in 2020.

Mr. Pruitt noted the Brookline by-law passed in November 2019 applies to new construction and major renovations, with some exceptions and exemptions. Both commercial and residential cooking is exempted. Mr. Pruitt noted that renovations of greater than 75% of the original floor area would be subject to the bylaw. However, if existing piping was maintained, then infrastructure could be preserved. However, it is likely the case that in a major renovation of greater than 75%, piping would likely be moved and thus the project would trigger the Brookline by-law. Additions would not fall under the Brookline bylaw. Portable propane cooking appliances for outdoor cooking and heating would be exempted as well. There is also a waiver provision established by the Brookline bylaw, administered by a new Sustainability Review Board. This new board

would grant waivers for specific parts of projects, rather than blanket waivers for entire projects.

There was a discussion about how Brookline crafted the bylaw to be compliant with the existing state Building Code and other laws.

Mr. Dunn discussed process. The Select Board already placed this article on the Town Meeting Warrant at its Monday meeting. Mr. Dunn said warrant article hearings at the Select Board would start in February and go to end of March. He initially said it would require two thirds of Town Meeting to vote for approval, but later correct that: only a simple majority would be required. One of the questions that will inevitably come up is what outreach has been done to date to provide accommodation to any dissenters, who may speak at Town Meeting.

Mr. DiTullio (a Town Meeting member) referenced the campaign to ban plastic bags in Arlington. He noted that the timeline for this campaign would require an aggressive outreach schedule. Mr. Pruitt noted that if enacted, several outside advocates would also volunteer efforts to help get this done.

Mr. Pruitt asked about which provisions to include in the bylaw. Should we mimic the Brookline bylaw or diverge in significant ways? The Committee discussed the limited reach of the definition for major renovation and whether it would thus not have major impact in reducing natural gas consumption. Mr. Pruitt noted an analysis by the Department of Planning and Community Development on how much impact this would have by 2050: if development trends for the last ten years continued in the future, about 12% of buildings would be fully gas free (at least for heating) based on existing annual building turnover.

Ms. Dein wondered if the renovation definition could be discussed after the Warrant article is filed. Mr. Dunn noted that the Warrant Article can still be modified to some degree. Further a discussion with the Building Inspector would be wise.

Mr. Pruitt noted concerns about mandating heat pumps, or requiring a conversion to heat pumps, in poorly-insulated buildings. It can be expensive to heat with heat pumps in poorly-insulated buildings, especially compared to gas heat. Ms. Dein said that ultimately the goal should be for new homes to have tight envelopes. Ms. Cooper asked if we should still vote to endorse/support the Article the Select Board already added to the Warrant. Mr. Dunn said that a vote in favor would result in the Article being "inserted at the request of the Clean Energy Future Committee" in the Town Meeting Warrant.

Mr. Miettinen observed that the Brookline bylaw is insufficient to make a big dent in fossil fuel usage given the number of loopholes, but still supported bringing something similar forward in Arlington.

Mr. Amstutz wondered where the line is drawn for additions. Mr. Pruitt noted that heat pumps are very common for additions or supplementing existing heating. He also noted that additions are not subject to the Brookline bylaw, but that Arlington could choose to include additions if it wanted to.

Mr. Dunn asked if there was a motion to place the article as written on the warrant. Mr. Pruitt asked for a motion. There was a motion and second.

Discussion: Mr. Breslow asked if any significant concerns or objections had been or would likely be raised in town. Mr. Pruitt said he expected there would be significant concern and at least early opposition.

The motion to ask the Select Board to add this Article to the Town Meeting Warrant passed unanimously.

Mr. Pruitt then asked if non-Committee members had any questions. Amos Meeks from Sustainable Arlington offered his support for the bylaw.

Anne Wright from Sustainable Arlington raised three questions she and other advocates are grappling with:

- 1) Process wise – Brookline held two to four public forums – we need to decide how many we will hold.
- 2) How best to involve developers and real estate agencies?
- 3) What should we name the Warrant Article?

Mr. Pruitt asked what flexibility there is to modify the Article after it is filed. Mr. Dunn noted there is some flexibility for several days.

Mr. Pruitt then asked who should be leading public outreach (holding meetings, etc.). Mr. Dunn said it is best if non-Town government groups run the process for outreach. Mr. Dunn recommended a campaign committee be formed.

One guest noted that the definition of fossil fuel “piping” seems confusing and needs clarifying.

Pat Hanlon from Sustainable Arlington noted that the Brookline bylaw is the product of outreach and discussion across Brookline, with various political concessions already given.

(It was at this point in the meeting that Mr. Dunn corrected the record to note it would be a majority and not a two-thirds vote to pass this bylaw).

Mr. Pruitt noted the working group would need to come up with a campaign plan, including a list of volunteers, etc. to help provide outreach for the proposed Committee plus advocates.

Agenda Item 2: CEFC Retreat

Mr. Pruitt noted that originally the Committee scheduled a retreat on Saturday Feb 1, 2020. It will be postponed. Mr. Pruitt suggested that the proposed agenda should be a second read and prioritization of the MAPC greenhouse gas mitigation proposals.

The Committee then discussed when the retreat should occur. Mr. Pruitt wondered if late March or April would work as a possibility. An alternative to a Saturday meeting could also be a full morning meeting on a Friday.

Next Meeting will occur on January 29, 2020

The Meeting adjourned at 9:30 a.m.

Submitted by Dave Levy.



Clean Energy Future Committee

Date: Wednesday January 29, 2020

Time: 8:00 a.m.

Location: Lyons Hearing Room, Arlington Town Hall

Dial-in option: (515) 604-9044. Code: 177001#

Agenda

1. Review & Approve Minutes from 12/20/2019 meeting
2. Warrant article for a fossil fuel ban for new construction and major renovations
3. CEFC retreat: agenda and timing
4. Next meeting: February 28



Clean Energy Future Committee

December 20, 2019

8:00 – 9:30 a.m.

Arlington Town Hall, Lyons Hearing Room

Members present: Jim DiTullio (by phone), Ryan Katofsky, Ken Pruitt, Dave Levy, Marc Breslow, Emily Sullivan, Adam Chapdelaine, Dan Amstutz, Coralie Cooper, Dan Dunn (by phone), Shelly Dein.

Members not present: Pasi Miettinen, Nellie Aikenhead.

Additional participants: Jennifer Raitt, Director of Planning and Community Development and Ali Carter, Economic Development Coordinator.

The Meeting Convened at 8:05 a.m.

Minutes: Minutes from the 11/22/2019 meeting were unanimously approved as amended based on comments at the meeting.

Discussion of the Brookline ban on new natural gas hookups

Mr. Pruitt noted Brookline's new bylaw would ban new oil or gas piping into new buildings or structures that have undergone a major renovation ("gut rehab"). However, the bylaw will need to be upheld by the Attorney General's office before going into force. Regarding exemptions in the Brookline Law, Mr. Pruitt noted the following as the most notable:

- a. For emergency backup generators
- b. For cooking appliances
- c. For domestic hot water in buildings greater than 10,000 square feet
- d. For needed repairs of gas piping that has become unsafe.

Mr. Katofsky asked why town bylaws need Attorney General approval. Mr. Chapdelaine noted all town bylaws need Attorney General approval to ensure compliance with state laws and the state constitution. Mr. Chapdelaine noted the Town Clerk of Brookline has 30 days to submit the bylaw and then the Attorney General's office has 90 days to review it.

Mr. Chapdelaine and Planning and Community Development Director Jenny Raitt noted the Brookline bylaw does allow for waivers. Ms. Raitt noted she is a Brookline resident and played a role in reviewing the bylaw in her volunteer role on Brookline's Housing Advisory Board.

Mr. Pruitt asked if the Committee thought the proposed bylaw made sense for Arlington to adapt and adopt. Mr. Chapdelaine stated that he was aware of town residents who were prepared to file a warrant article, and thought it would make sense for the Committee to file it and work with advocates for its adoption. Mr. Chapdelaine did note that this kind of bylaw cannot supersede the building code. Further, a legal challenge to this warrant article (and others) is likely even if approved. So, given the likelihood of legal challenges, the Brookline warrant article may well be under Attorney General and legal review during and after Arlington's Town Meeting.

Ms. Cooper supported pursuing drafting of a warrant article and noted the Brookline submission had a nice background of technical work and analysis. Mr. Katofsky seconded Ms. Cooper's motion that the Committee should review it. Ms. Dein agreed and noted her surprise that there are exemptions for cooking appliances.

Mr. Pruitt elaborated more on the Brookline bylaw by observing that it applies to both new construction and renovations altering 50% (commercial) or 75% (residential) of the original square footage of buildings.

Mr. Chapdelaine noted that if the Committee felt a Brookline-style bylaw was worthy of discussion, a vote would need to be taken in January ahead of the January 31 deadline for filing warrant articles. Mr. Dunn noted Select Board hearings would then be needed on the warrant article prior to Town Meeting.

Audience member Mr. Gene Benson supported new construction measures, including a natural gas ban, as well as requiring solar on new construction and electric charging stations at certain buildings. Ms. Dein noted the Building Code might be amended soon to address some of these issues.

Mr. Levy asked if the Committee should create a fact finding group in preparation for the January meeting. Mr. Chapdelaine agreed it would be a good idea. Ali Carter, Arlington's Economic Development Coordinator, noted that vacant storefronts are a common concern that could be worsened if further expensive requirements were placed on restaurants (such as requiring electric cooking appliances).

Ms. Raitt noted that Brookline residents went through a thorough process in shopping the proposed warrant article in Brookline and suggested copying a similar process for this effort. Ms. Cooper noted that on restaurants, the technology is there, but the cost may be prohibitive. Ms. Carter concurred on the cost, and again noted how expensive it is to operate a restaurant today.

Mr. Katofsky noted that new homes should also be ready for new electric vehicle charging stations (not pre-installed, but pre-wired).

Audience member John Winslow noted he is completely in support of these measures but also noted the pain involved potentially in increased operating

costs. Mr. Katofsky noted that while there might be pain, we all will be on the journey together. Ms. Carter noted that the majority of businesses are not owned by Town residents.

Mr. Chapdelaine recommended that the Committee now work on the possible drafting of a warrant article for and during the January Committee meeting. There was general agreement.

Review of building-related greenhouse gas mitigation measures from MAPC.

The committee returned to the proposed list, which it partially reviewed at the November 22 meeting.

Regarding item number 18, Advance Energy Efficiency in Affordable Housing, Mr. Dunn noted concern that other groups were already potentially looking at this, so there is a risk of duplication. Mr. Chapdelaine noted the Town has “carrots” in the form of state and federal money that could help shape energy efficiency efforts so noted the idea seemed worthy.

Regarding items 19 and 20, decreasing energy use in Municipal Buildings, the Committee wondered if the ask is fossil fuel usage or energy use writ large (including electricity). The Committee thought prioritization of less efficient buildings made the most sense. The Committee discussed working with the Arlington Housing Authority to examine its building stock and noted it was a separate measure vs. Town buildings.

Regarding item 21, the Committee noted the Town government could meet energy demand with renewable electricity, and should be able to advance this measure in the near future when the electricity supply contract expires in December 2023.

Regarding items 22 & 23, the Committee noted that perhaps it might be too complicated for a Town to facilitate a private sector financing program.

Regarding item 24, building energy benchmarking, Mr. Pruitt noted it was very resource intensive to set this up. Ms. Cooper noted that maybe this is a tier-2 priority. The Committee agreed.

Regarding item 25, requiring solar readiness for new buildings, the Committee decided this idea was worth further consideration and added EV readiness.

Regarding item 26, Implement community solar projects at scale, the Committee agreed that more solar, especially over parking lots would be a benefit. However, the Committee felt that there might not be many community solar opportunities within Arlington since it is largely built-out.

Regarding item 27, create energy resource centers, the Committee noted this was largely already being done and we could just point people to good websites.

Regarding item 28, promote building decarbonization through incentives and demonstration projects, the Committee felt it should not be providing incentives, but perhaps could promote demonstration projects.

Item 29 – blank line, skipped by the Committee.

Regarding item 30, easing of zoning to allow building replacement on non-conforming lots, the Committee noted this concept is viable but needs a lot further discussion to refine it.

Regarding item 31, creation of an Arlington Net Zero Energy Homes branding campaign, the Committee liked the concept and wanted to explore it further.

Regarding items 32 and 33, architect and realtor outreach, the Committee liked both concepts. The Committee noted it would have to provide outreach regarding how to handle design to avoid fossil fuel usage. Mr. Pruitt noted the Town of Winchester is investigating a webpage offered by the Town to support such a measure.

Regarding item 34, procure renewable gas, the sense of the Committee was to continue to monitor such an endeavor, but noted that at present it is infeasible.

Regarding Item 36, advocate for a lifting of the ban on new municipal light plants, the Committee was in favor of it.

Next Meeting will occur on January 31, 2020

The Meeting adjourned at 9:35 a.m.

Submitted by Dave Levy.

Draft Warrant Article

BYLAW AMENDMENT/PROHIBITION ON NEW FOSSIL FUEL INFRASTRUCTURE IN MAJOR CONSTRUCTION

Summary:

To see if the Town will vote to amend the Town Bylaw to prohibit the installation of fossil fuel infrastructure in new buildings and major renovations; or take any other action related thereto.